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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

THE PEOPLE,
Plaintiff and Respondent,
v.
ELMORE BRIGGS,
Defendant and Appellant.

A107695

(Alameda County
Super. Ct. No. 145160)

Pursuant to a negotiated disposition, appellant pled no contest to possessing a controlled substance for sale (Health & Saf. Code, § 11351.5) and admitted three prior narcotic convictions (Health & Saf. Code, § 11370.2, subd. (a)), including one alleged as a state prison prior (Pen. Code, § 667.5, subd. (b)). On October 23, 2003, imposition of sentence was suspended and appellant was granted probation on certain terms and conditions.

In March 2004, a petition to revoke probation was filed alleging a sale of a controlled substance. (Health & Saf. Code, § 11352.) At a contested hearing, the evidence established that appellant was in possession of marked currency used to purchase rock cocaine. The trial court found a violation, revoked probation, and sentenced appellant to an aggregate term of 14 years in state prison (midterm of four years on substantive offense and 10 years on prior conviction enhancements).

Counsel for appellant has filed an opening brief raising no issues and asking this court for an independent review of the record pursuant to *People v. Wende*

(1979) 25 Cal.3d 436. We have conducted the requested review and conclude that there are no arguable issues.

Appellant was represented by counsel throughout the proceedings. There was substantial evidence adduced at the revocation hearing supporting the trial court's finding of a probation violation. The trial court did not abuse its discretion in sentencing appellant.

Judgment affirmed.

Reardon, Acting P.J.

We concur:

Sepulveda, J.

Rivera, J.